

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:15-CV-223-H

DWIGHT HILL, SR.,)	
)	
Plaintiff,)	
)	
v.)	
)	
WAKE COUNTY ADMINISTRATION,)	
RALEIGH CITY ADMINISTRATION TO)	
WAKE COUNTY, JESUS M. ORTIZ,)	
KENNETH R. LENNON, L. J. PAXTON,)	
JUDGE WILKINS, S.A. TIBBETTS,)	
C.H. GRAVES, NICHOLSON)	
FAULCON, M.D., BRETT J. DAVIS, B.J.)	
SQUIRES, L.E. HANKINS, M.C.)	
STANGLER,)	
)	
Defendants.)	

**MEMORANDUM &
RECOMMENDATION**

Pending before this court is an application to proceed in forma pauperis filed by Dwight Hill, Sr. [DE #1]. The court previously undertook review of Mr. Hill's application but was unable to determine whether he qualifies as a pauper because Mr. Hill failed to properly complete all sections of the application. Accordingly, on October 1, 2015, the court entered an order directing Mr. Hill to file a properly completed application by October 26, 2015. Mr. Hill was warned that failure to submit a properly completed application as ordered could result in denial of his application to proceed in forma pauperis.

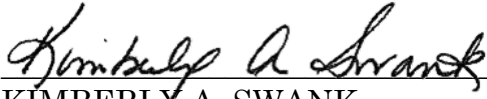
Mr. Hill has filed other documents with the court since the court's October 1, 2015, order. However, the court has not received a properly completed in forma pauperis application from Mr. Hill, nor has the court received any request for additional time. Mr. Hill having failed to demonstrate his eligibility to proceed in forma pauperis and the time for compliance with the court's October 1, 2015, order having expired, it is hereby RECOMMENDED that Mr. Hill's application to proceed in forma pauperis be DENIED.

IT IS DIRECTED that a copy of this Order and Memorandum and Recommendation be served on Plaintiff. Plaintiff is hereby advised as follows: You shall have until **November 16, 2015**, to file written objections to the Memorandum and Recommendation. The presiding district judge must conduct his or her own review (that is, make a de novo determination) of those portions of the Memorandum and Recommendation to which objection is properly made and may accept, reject, or modify the determinations in the Memorandum and Recommendation; receive further evidence; or return the matter to the magistrate judge with instructions. *See, e.g.*, 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3); Local Civ. R. 1.1 (permitting modification of deadlines specified in local rules), 72.4(b), E.D.N.C.

If you do not file written objections to the Memorandum and Recommendation by the foregoing deadline, you will be giving up the right to review of the Memorandum and Recommendation by the presiding district judge as described above, and the presiding district judge may enter an order or judgment

based on the Memorandum and Recommendation without such review. In addition, your failure to file written objections by the foregoing deadline may bar you from appealing to the Court of Appeals from an order or judgment of the presiding district judge based on the Memorandum and Recommendation. *See Wright v. Collins*, 766 F.2d 841, 846-47 (4th Cir. 1985).

This 29th day of October 2015.


KIMBERLY A. SWANK
United States Magistrate Judge